

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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In re: :  
: Chapter 11  
: Case Nos. 01-0706 (MFW)  
ETOYS, INC., et al., : Through 01-0709 (MFW)  
: Debtors. :  
:-----x  
ROBERT K. ALBER, *Pro Se*, :  
: Appellant, : Civil Action No. 05-830 (KAJ)  
: v. :  
: TRAUB, BONACQUIST & FOX LLP, :  
BARRY GOLD, MORRIS NICHOLS :  
ARSHT & TUNNELL LLP, and POST- :  
EFFECTIVE DATE COMMITTEE OF :  
EBC I, INC., :  
: Appellees. :-----x

**CERTIFICATE OF SERVICE**

I, Gregory W. Werkheiser, Esquire, hereby certify that on December 29, 2005, I caused a copy of the foregoing **Appellee Morris, Nichols, Arsh & Tunnell's to Strike Items Improperly Designated by Robert K. Alber to be Included in the Record on Appeal of the Bankruptcy Court's October 4, 2005 Order** to be served on the parties on the attached service list in the manner indicated.

MORRIS, NICHOLS, ARSHT & TUNNELL

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